

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

INDIANAPOLIS

OFFICE MEMORANDUM

DATE: January 31, 2009

TO: File

FROM: Steve Mojonier, Senior Environmental Manager
Rules Development Branch, Office of Legal Counsel

SUBJECT: Fiscal Impact of Rules for Environmental Impact Statements for Major
State Actions at 329 IAC 5; LSA Document #08-209

Under IC 4-22-2-28 and IC 4-3-22-13, IDEM has estimated that the economic impact of the proposed new rules at 329 IAC 5 will be less than five hundred thousand dollars (\$500,000) on the regulated persons. The economic impact analysis for this rule will not be submitted to the Office of Management and Budget.

This rule adds 329 IAC 5-3 and amends 329 IAC 5-1-2, 329 IAC 5-1-3, and 329 IAC 5-1-4 to define actions that constitute major state actions significantly affecting the quality of the human environment in accordance with IC 13-12-4-5. This rule repeals 329 IAC 5-1-1, 329 IAC 5-1-5, and 329 IAC 5-2.

This rule responds to a perceived need to clarify the requirements for state agencies that must comply with IC 13-12-4-5. This rule will define the actions that constitute a major state action significantly affecting the quality of the human environment and provide tools that a responsible official of a state agency can use to comply with the requirements for environmental impact statements in IC 13-12-4-5.

This rule will not result in any additional costs or cost savings beyond those already incurred under IC 13-12-4-5.